REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. In the claims

As shown in the foregoing AMENDMENT TO THE CLAIMS, the claims have been amended to more clearly point out the subject matter for which protection is sought.

Claims 1 and 13 are amended to clarify that the second feeding element is only uniaxially movable along the feeding path from first and second positions. Clear support for this limitation is found in the specification in at least at paragraph [0010].

Claim 24 is cancelled without prejudice or disclaimer.

Claims 2-12 and 14-23 are left unchanged.

Entry of the amendment to the claims is respectfully requested in the next Office communication.

2. Rejection of claims 1-4, 6, 7, 10-16, 18, 19 and 22-24 under 35 U.S.C. § 102(b) as being unpatentable over U.S. patent 5,803,446 (*Leuthold*)

Reconsideration of this rejection is respectfully requested on the basis that *Leuthold* fails to disclose each and every recited element of amended independent claims 1 and 13. The remaining claims of this rejection depend from one of claims 1 and 13, and are therefore patentable at least for containing all of the recited elements of either claim 1 or claim 13, as well as for their respective recited features.

As noted above, claims 1 and 13 have both been amended to clarify that the second feeding element is "only" uniaxially movable. Such an arrangement is clearly not understood from the teachings of *Leuthold*.

At the onset, it is noted that *Leuthold* corresponds to DE 195 12 505 which is discussed at length in the applicant's disclosure (paragraphs [0004]-[0007]). Turning to the specific teachings of *Leuthold*, Leuthold discloses two multiaxial (vertical and horizontal directions) feeding elements which alternate permanently between a deposit position and a singling position through an uninterrupted loop motion.

As displayed in FIGS. 5a to 5f, *Leuthold* clearly discloses how the function course for singling loose sheet material employs first and second grippers (20, 40, respectively) which both move vertically and horizontally, and hence multiaxially. Nowhere is there any teaching that one of these grippers only moves along a single axis.

On the other hand, amended claims 1 and 13 both propose a solution which avoids two multiaxial feeding elements, and just relies on a single multiaxial feeding element and a uniaxial feeding element. A summary of the subject matter of these independent claims was provided in relation to FIGS. 2a to 2f in the pending application in the reply to the previous Office Action (dated March 23, 2009).

Accordingly, *Leuthold* clearly does not disclose or suggest the particular solution required by claims 1 and 13, particularly a feeding element which moves only uniaxially. Moreover, *Leuthold* does not provide any hint that the skilled person would discern as a teaching the idea of using a single multiaxial feeding element in combination with a feeding element which only moves uniaxially.

As discussed in the applicant's disclosure, the particular arrangement of two multiaxial feeding elements has the disadvantage that numerous position sensors must be employed and complex control equipment must be included in the singling apparatus so as to track the relative multiaxial motion of each of the feeding elements ([0006]). As a result of the complex control equipment and multiple sensors, production costs and maintenance of the overall singling apparatus are increased. Additionally, in the instance of faster singling units or small stack sizes of bank notes, supply problems may occur, since for maintaining continuous singling, the long motion paths of the feeding elements must occur in shorter time than the singling unit requires for singling a stack.

Turning to the advantages of the solution offered by amended claims 1 and 13, as explained in the specification at paragraph [0011], the simplified construction requires only one feeding element which must execute an elaborately controlled, multiaxial loop motion, whereas another feeding element executes a simple uniaxial motion on the feeding path. The inventive solution provides simpler control and

mechanics which lead to higher reliability through increased failure safety and higher productivity due to fewer malfunctions.

Yet another advantage is the maintenance of continuous singling in the case of very fast singling units or small stacks since the multiaxially movable first feeding element describes only a short and quick transverse motion path when taking over the stack. Thus, the uniaxially movable second feeding element can feed further stacks out of the deposit position faster than comparable feeding elements with more complex motion paths which leads to increased throughput and reliability while providing simpler construction.

From these observations, it is submitted that independent claims 1 and 13 are patentable over *Leuthold* on the basis that *Leuthold* does not disclose or suggest every feature required by these independent claims, and further since there is no understanding in *Leuthold* of using the combination of a multiaxial feeding element with a uniaxial feeding element.

The claims dependent from claims 1 and 13 are likewise patentable based on their dependency from these claims and their individually recited features.

Accordingly, withdrawal of the rejection of the claims is kindly requested.

3. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

Please charge any additional fees required or credit any overpayments in connection with this paper to Deposit Account No. 02-0200.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicants' attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

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